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**RESOLUTION 22-7**

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**Resolution of the Mayor and Council of Princeton Authorizing a Professional Services Agreement with Kimberly M. Lacken, Esq., to serve as Municipal Prosecutor for 2022, for the Contract Amount of \$76,000.00**

WHEREAS, the municipality of Princeton desires to retain the services of an attorney for purposes of serving as Municipal Prosecutor on behalf of Princeton; and

WHEREAS, Kimberly Lacken, Esq. has provided a proposal to Princeton for purposes of performing the sought-after Municipal Prosecutor services for the contract amount of \$76,000.00 for 2022. Additionally, special sessions will be billed in addition to and separately from the above, at the rate of \$375.00 per session (one half day); and

WHEREAS, Princeton has a need to acquire these services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law” and in connection therewith, Kimberly Lacken, Esq. will complete and file with Princeton the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and affidavit pursuant section 2-87 of the Princeton Code (collectively, the “Pay-to-Play Forms”); and

WHEREAS, the agreement shall be for an amount of \$76,000.00. Additionally, special sessions will be billed in addition to and separately from the above, at the rate of \$375.00 per session (one half day); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services in account 01-201-25-275-281; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(i)*, authorizes Princeton to award this agreement as a professional services agreement, without public bidding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Kimberly Lacken, Esq. for Municipal Prosecutor services, consistent with this Resolution and the above "Whereas" clauses.
2. The agreement is awarded without competitive bidding as a professional services agreement as authorized under *N.J.S.A. 40A:11-5(1)(a)(i)*.
3. Kimberly Lacken, Esq. shall be paid a fee of \$76,000.00. Additionally, special sessions will be billed in addition to and separately from the above, at the rate of \$375.00 per session (one half day); . The term of the agreement shall be January 1, 2022 to December 31, 2022.
4. A copy of this Resolution, the Pay-to-Play Forms and the agreement shall be placed on file in the Office of the Clerk.
5. A notice of this action shall be published in the official newspaper as required by law.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Pirone Lambros		X			X			
Ms. Niedergang		X	X		X			
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Sacks		X		X	X			
Mr. Newlin		X			X			
Mayor Freda		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held January 5, 2022.

  
 Delores A. Williams, Municipal Clerk